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PARTIES ATTEMPTING TO REACH SETTLEMENT ON HPN NOISE SUIT

Representatives of the parties involved in legal action regarding a midnight-7 a.m. curfew at the Westchester County Airport in White Plains, N.Y. were scheduled to hold a telephone conference late Friday afternoon in an attempt to reach a temporary settlement that would relax the curfew and preclude further legal action for at least 60 days. In the absence of such an agreement, attorneys for the plaintiffs — National Business Aircraft Association and the Aircraft Owners and Pilots Association — are scheduled to be in Federal District Court for the Southern District of New York at 10 a.m. Tuesday seeking an injunction preventing enforcement of the curfew.

The curfew was enacted by the Westchester County board of legislators in September (*BA, Sept. 7/74*) and went into effect on Oct. 1. NBAA and AOPA filed suit against the curfew in early October (*BA, Oct. 12/114*). A hearing on their request for an injunction had been scheduled Nov. 5, but was delayed at the request of the county. There have been a number of meetings between the two associations and the county, some of which FAA representatives participated in. During a meeting at FAA headquarters last week there was discussion of a draft agreement under which the curfew would be in effect from midnight-6:30 a.m. No final action was taken at that time, but the proposed agreement — which would also include a 60-day delay in any further legal action — was to be discussed in Friday's conference call.

In addition, NBAA last week asked the court to issue a show cause order that would require FAA to show cause why it should not be required to participate in the suit on an involuntary basis. NBAA and AOPA have been anxious to have FAA join the case because they feel the federal government's participation would buttress their arguments. However, FAA has not voluntarily become a party to the suit. The show cause order request is expected to be decided by the court this morning.

NBAA in particular has been anxious to have the curfew relaxed to 6:30 a.m. to permit early-morning operations at the airport. One source said that if the county agrees to that change, the two associations will agree to hold off legal action for two months to provide an opportunity for the entire matter to be settled through negotiation, rather than in court.

CORPORATE OPERATORS SUING ROCKWELL, RAISBECK OVER SABRELINER MODS

A number of corporate aircraft operators have filed suits against Rockwell International and the Raisbeck Group regarding modifications made on their Sabreliner aircraft. The suits against Rockwell were filed in Chicago, some in federal district court and others in state court, while those against Raisbeck were filed in federal court in Seattle. Plaintiffs include: Proctor & Gamble Co.; InterNorth Inc.; Carlson Cos.; Natural Gas Pipeline Co.; and Washington Jet Inc. in the suits against Rockwell. Those five companies plus Guardian Industries filed parallel actions against Raisbeck in Seattle.

Basically the suits allege that Rockwell helped Raisbeck promote a series of aerodynamic modifications for the Sabreliner that were developed by Raisbeck although Rockwell officials knew Raisbeck was not capable of performing the retrofit work correctly. The suits also charge that Rockwell interfered with Raisbeck's attempts to fulfill its retrofit contracts. FAA issued an airworthiness directive in October 1979 requiring eddy current inspections of the aircraft modified by Raisbeck because of quality control problems (*BA, Feb.*

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